

Serial No.: 09/918,062

Art Unit: 2137

**REMARKS**

This is a full and timely response to the outstanding final Office Action mailed August 31, 2005.

1. Response to Rejection of Claims 1-12 and 14-19 Under 35 U.S.C. §103(a)

In the Office Action, claims 1-12 and 14-19 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Linsker* (U.S. Patent No. 5,598,473) in view of *Mazzagatte* (U.S. Patent No. 6,862,583). It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

a. Independent Claim 1

Applicants respectfully submit that independent claim 1, as amended, is allowable for at least the reason that *Linsker* in view of *Mazzagatte* does not disclose, teach, or suggest at least "decoding encrypted identification data with the first token of the intended recipient, the encrypted identification data being identification data from the independently verifiable data record that is encrypted using a second token of the recipient," and "comparing the decrypted identifier data with contents of the independently verifiable data record to determine the authenticity of the recipient of the document," as recited in claim 1.

The Office Action cites *Mazzagatte* in support of disclosing the features directed at verifying the identity of an intended recipient of a document. However, *Mazzagatte* does not teach or suggest the above recited features where encrypted identification data is received and then decoded using a first token of an intended recipient that is compared with contents of the independently verifiable data record to determine the authenticity of the recipient. Moreover, *Mazzagatte* does not appear to teach or suggest that a first token of a recipient is used to decode encrypted data.

Since *Linkster* is legally inadequate to remedy the deficiencies of the *Mazzagatte* in this respect, a prima facie case establishing an obviousness rejection by

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*Linsker* in view of *Mazzagatte* has not been made. Thus, claim 1 is not obvious under the proposed combination, and the rejection should be withdrawn.

b. Claims 2-8

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-8 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-8 contain all features/elements of independent claim 1. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

c. Independent Claim 9

Applicants respectfully submit that independent claim 9, as amended, is allowable for at least the reason that *Linsker* in view of *Mazzagatte* does not disclose, teach, or suggest at least "decoding the identification data of the intended recipient using a second token of the intended recipient" and "comparing the decoded identification data with contents of the independently verifiable data record to determine the authenticity of the recipient of the document," as recited in claim 9.

The Office Action cites *Mazzagatte* in support of disclosing the features directed at verifying the identity of an intended recipient of a document. However, *Mazzagatte* does not teach or suggest the above recited features where encrypted identification data is received and then decoded using a second token of an intended recipient that is compared with contents of the independently verifiable data record to determine the authenticity of the recipient. Moreover, *Mazzagatte* does not appear to teach or suggest that a second token of a recipient is used to decode encrypted data.

Since *Linkster* is legally inadequate to remedy the deficiencies of the *Mazzagatte* in this respect, a prima facie case establishing an obviousness rejection by *Linsker* in view of *Mazzagatte* has not been made. Thus, claim 9 is not obvious under the proposed combination, and the rejection should be withdrawn.

d. Claims 10-12 and 14-17

Because independent claim 9 is allowable over the cited art of record, dependent claims 10-12 and 14-17 (which depend from independent claim 9) are allowable as a matter of law for at least the reason that the dependent claims 10-12 and 14-17 contain

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all features/elements of independent claim 9. Accordingly, the rejection to these claims should be withdrawn.

e. Independent Claim 18

Applicants respectfully submit that independent claim 18, as amended, is allowable for at least the reason that *Linkster* in view of *Mazzagatte* does not disclose, teach, or suggest at least "wherein the second token of the intended recipient is used to decode encrypted identification data of the intended recipient that is compared to contents of the independently verifiable data record of the intended recipient to determine authenticity of the intended recipient," as recited in claim 18.

The Office Action cites *Mazzagatte* in support of disclosing the features directed at verifying the identity of an intended recipient of a document. However, *Mazzagatte* does not teach or suggest the above recited features where encrypted identification data is received and then decoded using a second token of an intended recipient that is compared with contents of the independently verifiable data record to determine the authenticity of the recipient. Moreover, *Mazzagatte* does not appear to teach or suggest that a second token of a recipient is used to decode encrypted data.

Since *Linkster* is legally inadequate to remedy the deficiencies of the *Mazzagatte* in this respect, a prima facie case establishing an obviousness rejection by *Linkster* in view of *Mazzagatte* has not been made. Thus, claim 18 is not obvious under the proposed combination, and the rejection should be withdrawn.

f. Independent Claim 19

Applicants respectfully submit that independent claim 19, as amended, is allowable for at least the reason that *Linkster* in view of *Mazzagatte* does not disclose, teach, or suggest at least "wherein the second token of the intended recipient is used to decode encrypted identification data of the intended recipient that was generated using the first token of the intended recipient, the decoded identification data being compared to contents of an independently verifiable data record of the intended recipient to determine authenticity of the intended recipient," as recited in claim 19.

The Office Action cites *Mazzagatte* in support of disclosing the features directed at verifying the identity of an intended recipient of a document. However, *Mazzagatte* does not teach or suggest the above recited features where encrypted identification data

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is received and then decoded using a second token of an intended recipient that is compared with contents of the independently verifiable data record to determine the authenticity of the recipient. Moreover, *Mazzagatte* does not appear to teach or suggest that a second token of a recipient is used to decode encrypted data.

Since *Linkster* is legally inadequate to remedy the deficiencies of the *Mazzagatte* in this respect, a prima facie case establishing an obviousness rejection by *Linkster* in view of *Mazzagatte* has not been made. Thus, claim 19 is not obvious under the proposed combination, and the rejection should be withdrawn.


2. Response to Rejection of Claim 13 Under 35 U.S.C. §103

In the Office Action of January 13, 2005, claim 13 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Linkster* in view of *Mazzagatte* in view of *Clark* (U.S. Patent 5,448,045). Because independent claim 9 is allowable over the cited art of record, dependent claim 13 (which depends from independent claim 9) is allowable as a matter of law for at least the reason that the dependent claim 13 contains all features/elements of independent claim 9 and *Clark* does not remedy the deficiencies of the *Linkster* and *Mazzagatte* references. Accordingly, the rejection to this claim should be withdrawn.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

  
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